UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/600,115	06/20/2003	John S. Doleac	99-881C1	9783

25537 7590 05/22/2007		EXAMINER	
VERIZON		FLEURANTIN, JEAN B	
PATENT MANAGEMENT GROUP			
1515 N. COURTHOUSE ROAD		ART UNIT	PAPER NUMBER
SUITE 500		2162	
ARLINGTON, VA 22201-2909			

NOTIFICATION DATE	DELIVERY MODE
05/22/2007	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>20 February 2007</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>28-66</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>28 30, 36-39, 45-48, 54-55, 59 and 63</u> is/are rejected.

7)☒ Claim(s) <u>31-35, 40-44, 49-53, 56-58, 60-62 and 64-66</u> is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1.   This is in response to Applicants arguments submitted on 2/20/07.

The following is the current status of claim(s):

Claims 1-27 previously canceled.

Claims 28-66 remains pending for examination.

Claim Objections

Claims 55, 59 and 63 are objected to under 37 CFR 1.75 as being a substantial duplicate of

claims 28, 37 and 46. When two claims in an application are duplicates or else are so close in content

that they both cover the same thing, despite a slight difference in wording, it is proper after allowing one

claim to object to the other as being a substantial duplicate of the allowed claim. See **MPEP § 706.03(k)**.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of
this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter
as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which
said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 28-30, 36-39, 45-48, 54-55, 59 and 63 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Cornell et al., US Pat. No. 4,599,490 ("Cornell") in view of Glaser et al., US Pat. No.

5,875,242 ("Glaser").

As per claims 28, Cornell substantially discloses "a method executed in a computer system of

verifying generated commands" (i.e., group of commands is exchanged between the telecommunication

switch and the telecommunication control complex; see col. 3, lines 50-53), the method comprising:

"providing first switch commands generated by a first system" (i.e., telecommunication switch controller adapted to generate and receive the primitive commands; see col. 4, lines 2-15);

"generating a subset of said first switch commands generated by said first system" (i.e., telecommunication switches being connected to subsets of said pluralities of first communication link; see col. 23, lines 59-65); and

"providing data used by a second system to generate second switch commands" (i.e., second telecommunication switch connects to controller to provide inters witch links (second switch); see col. 17, line 51 to col. 18, line 10).

Cornell fails to explicitly disclose determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset. However, Glaser discloses determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset (see Glaser col. 17, lines 19-31). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Cornell by determining whether said data used by said second system corresponds to first switch commands included in said subset, wherein a correspondence between said data and said first commands is indicative of the second system being capable of generating at least one second switch command equivalent to first switch command including in said subset as disclosed by Glaser (see Glaser col. 17, lines 25-27). Such a modification would allow the method of Cornell to provide a method that reduces the time and cost associated with the installation of a telecommunication system (see Glaser col. 31, lines 25-28), therefore, improving the accuracy of the method for analyzing the quality of telecommunications switch command tables.

As per claims 29, 38 and 47, Cornell substantially discloses "the actual commands are successfully executed commands" (i.e., the use of such primitive commands permits any modern program-controlled telecommunication switch to be readily adapted to communicate in a standard way with and to be responsive to commands from a telecommunication control complex; see col. 3, lines 54-59).

As per claim 30, Cornell substantially discloses the claimed limitations except said first system is a system for generating first switch commands for a telecommunications network and said second system is a system for generating second switch commands for said telecommunications network, said second switch commands being equivalent to said first switch commands. However, Glaser discloses said first system is a system for generating first switch commands for a telecommunications network and said second system is a system for generating second switch commands for said telecommunications network, said second switch commands being equivalent to said first switch commands (see Glaser col. 17, lines 19-31). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Cornell by said first system is a system for generating first switch commands for a telecommunications network and said second system is a system for generating second switch commands for said telecommunications network, said second switch commands being equivalent to said first switch commands as disclosed by Glaser (see Glaser col. 17, lines 25-27). Such a modification would allow the method of Cornell to provide a method that reduces the time and cost associated with the installation of a telecommunication system (see Glaser col. 31, lines 25-28), therefore, improving the accuracy of the method for analyzing the quality of telecommunications switch command tables.

As per claims 36, 45 and 54, Cornell discloses "said data used by said second system are stored in a database used by said second system, and wherein said data include at least one command parameters and programs used to generate second switch commands" (see col. 17, line 51 to col. 18, line 6).

As per claims 37 and 46, the limitations of claims 37 and 46 are similar to claim 28, therefore, the limitations of claims 37 and 46 are rejected in the analysis of claim 28, and these claims are rejected on that basis.

As per claim 39, the limitations of claim 39 are similar to claim 30, therefore, the limitations of claim 39 are rejected in the analysis of claim 30, and this claim is rejected on that basis.

As per claim 48, the limitations of claim 48 are similar to claim 30, therefore, the limitations of claim 48 are rejected in the analysis of claim 30, and this claim is rejected on that basis.

As per claims 55, 59 and 63, Cornell substantially discloses "a method of verifying switch commands for telecommunication network" (i.e., group of commands is exchanged between the telecommunication switch and the telecommunication control complex; see col. 3, lines 50-53), the method comprising:

"obtaining from a first system executable switch commands for telecommunications network" (i.e., telecommunication switch controller adapted to generate and receive the primitive commands; see col. 4, lines 2-15);

"providing data used by a second system to generate second executable switch commands for the telecommunications network" (i.e., second telecommunication switch connects to controller to provide inters witch links (second switch); see col. 17, line 51 to col. 18, line 10); and

"comparing the first executable switch commands with the data used by the second system" (i.e., telecommunication switches being connected to subsets of said pluralities of second communication link; see col. 23, lines 59-65).

Cornell fails to explicitly disclose based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network. However, Glaser discloses based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network (see Glaser col. 17, lines 19-31). It would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the method of Cornell by based on the match between a first executable switch commands and the data used by the second system, identifying the matched first executable command as being coded by data used by the second system to generate a second executable switch command telecommunication network as disclosed by Glaser (see Glaser col. 17, lines 25-27). Such a modification would allow the method of Cornell to provide a method that reduces the time and cost associated with the installation of a telecommunication system (see Glaser col. 31, lines 25-28), therefore, improving the accuracy of the method for analyzing the quality of telecommunications switch command tables.

Allowable Subject Matter

Claims 31-35, 40-44, 49-53, 56-58, 60-62 and 64-66 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Applicant' Remarks

Applicant's arguments, filed 2/20/07, with respect to the rejection(s) of claims 28-30, 32, 36-39, 41, 45-48, 50 and 54-66 under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Glaser.

Since, claims 28-66 are non-statutory. Thus, a 35 U.S.C. 101 non-statutory rejection of claims is made.

The broadest reasonable interpretation of the claims must also be consistent with the interpretation that those skilled in the art would reach. In re Cortright, 165 F.3d 1353, 1359, 49 USPQ2d 1464, 1468 (Fed. Cir. 1999).

CONTACT INFORMATION

2.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to JEAN B. FLEURANTIN whose telephone number is 571 – 272-4035. The examiner can normally be reached on 7:05 to 4:35.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, JOHN E BREENE can be reached on 571 – 272-4107. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jean Bolte Fleurantin

Patent Examiner

Technology Center 2100

May 04, 2007